

Group Three – four trustees, appointed by the Governor.

Group Four – the president of the student government or the chairman of the executive board of the student body of each community college established pursuant to G.S. 115D shall be an ex officio nonvoting member of the board of trustees of each said institution."

**SECTION 20.** Except as otherwise provided, this act is effective when it becomes law. Section 19 of this act applies only to appointments made on or after the effective date of this act, and does not apply to any reappointment of a member of the General Assembly serving on any board of trustees for a community college on that date.

In the General Assembly read three times and ratified this the 11<sup>th</sup> day of August, 2009.

Became law upon approval of the Governor at 10:30 a.m. on the 28<sup>th</sup> day of August, 2009.

## Session Law 2009-550

**H.B. 274**

### AN ACT TO MAKE VARIOUS CLARIFYING CHANGES TO THE GENERAL STATUTES AND SESSION LAWS.

*The General Assembly of North Carolina enacts:*

**SECTION 1.** G.S. 15A-544.4(e) reads as rewritten:

"(e) ~~Notice under this section shall be mailed not later than the thirtieth day after the date on which the forfeiture is entered.~~ Notice under this section shall be mailed not later than the 30<sup>th</sup> day after the date on which the defendant fails to appear as required and a call and fail is ordered. If notice under this section is not given within the prescribed time, the forfeiture shall not become a final judgment and shall not be enforced or reported to the Department of Insurance."

**SECTION 1.1.(a)** Section 10.15A(h1)(2) and (h1)(3) of S.L. 2008-107, as amended by Section 3.13(a) of S.L. 2008-118, reads as rewritten:

"(2) Notice. – Except as otherwise provided by federal law or regulation, at least ~~30~~10 days before the effective date of an adverse determination, the Department shall notify the applicant or recipient, and the provider, if applicable, in writing of the determination and of the applicant's or recipient's right to appeal the determination. The notice shall be mailed on the date indicated on the notice as the date of the determination. The notice shall include:

- a. An identification of the applicant or recipient whose services are being affected by the adverse determination, including full name and Medicaid identification number.
- b. An explanation of what service is being denied, terminated, suspended, or reduced and the reason for the determination.
- c. The specific regulation, statute, or medical policy that supports or requires the adverse determination.
- d. The effective date of the adverse determination.
- e. An explanation of the applicant's or recipient's right to appeal the Department's adverse determination in an evidentiary hearing before an administrative law judge.
- f. An explanation of how the applicant or recipient can request a hearing and a statement that the applicant or recipient may represent himself or use legal counsel, a relative, or other spokesperson.
- g. A statement that the applicant or recipient will continue to receive Medicaid services at the level provided on the day immediately preceding the Department's adverse determination or the amount requested by the applicant or recipient, whichever is less, if the